



Volume 3, Issue 12

Promoting the growth of Disadvantaged Business in Montana

December 2003

Upcoming Dates

Logo Contest Results Announced Dec 15, 2003

Construction Employer Workshop, Dec 16, 2003

MDT Bid Letting Dec 18, 2003

MDT Invitation for Bids Jan 2, 2004

MDT Training Conference, Jan 6-7, 2004

Construction Estimating Software

Heavy Bid Express 2.1 Software with Manual

FREE FREE FREE

The software is **free** and available to DBE companies.

Call Rebecca today to get your free copy or to request on-site training to use software.

Thank you to Heavy Construction Systems Specialists for free use of this software.



WHAT EVERY CONSTRUCTION EMPLOYER NEEDS TO KNOW WORKSHOP

December 16, 2003
Helena, MT

Inside this issue:

MDT Headquarters Conference Room
2701 Prospect Avenue
8:15 am to 4:45 pm
Cost is \$25, non-refundable

Workshop participants will learn their options, rights and responsibilities on topics that relate to successfully and legally hiring, managing and terminating employees in Montana.

James A. Nys is the speaker. He has been the Chief Human Resource Management Consultant for Personnel PLUS! Since 1987. He is the author of several human resource management books.

For more information call Personnel PLUS! Consulting Services, Inc. 406-443-7787 or email at jjm@personnelplus.com.

Send payment to: Personnel Plus! Consulting Services, Inc., 910 East Lyndale, Suite A, Helena, MT 59601



Debbie Riemann, Acting DBE Manager at the Montana Department of Transportation Civil Rights Bureau is on extended leave due to illness.

We are thinking of Debbie and hoping for a speedy recovery.

2.5-day Blueprint Reading Workshop

January 5-7, 2004, Bozeman, MT

\$75.00 per person

Penny Knoll, Professor of Civil Engineering, is presenting this class at the Montana Manufacturing Extension Center in Bozeman. Get hands-on learning on how to read blueprints. Only 20 spaces available. Call Rebecca Johnson to register.

Montana DBE Company Monthly Update

Withdrawn DBE-Certified Companies

A. Laugeni & Son, Inc.	Carolyn Laugeni	West Haven, CT
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De-Certified Companies

CA Small Trucking	Clayton Small, Jr.	Busby, MT
The Heartland Consortium, Inc.	Verni Nerren	Canton, OH
Tracks of the Past	Kathryn McKay	Columbia Falls, MT
J&R Trucking	John Eneas	Elmo, MT
Kristin Darr & Associates	Kristin Darr	Phoenix, AZ

Recently DBE Re-Certified Companies—(Annual Eligibility Update is October 31st of each year)

Phillips Construction	Patricia Phillips	Great Falls, MT
Benge Construction Co., Inc.	S. Scott Benge	Tualatin, OR
Silverstar, Inc. d/b/a Mann Trucking	Janice L. Wandler	Dickinson, ND
Quality Landscape Seeding, Inc.	Lisa M. Read	Belgrade, MT
Omo Construction	Ron Omo	Billings, MT
KLLYNCOLN, INC.	Karen L. Lyncoln	Seeley Lake, MT
Specialty Sales, Inc.	E.J. Cruickshank	Maple Grove, MN
B&B Diversified Materials	Beverly Christensen	Fairfield, CA
Jares Fence Company, Inc.	Bonnie Jares	Billings MT
Forest Rehab	Frances Peterson	Libby, MT
Sanchez Electric, Inc.	Tom Sanchez	Mills, WY
Mueller Consulting Land Surveyors	Virginia Mueller	Helena, MT
Scott Construction, Inc.	Patti Scott	East Helena, MT
Yeh & Associates, Inc.	Shan-Tai Yeh	Englewood, CO
Burtch Construction	Janet “Tiny” Burtch	Dixon, MT
Apple Valley Backhoe Service	Milton “Nubby” Peterson	Black Eagle, MT
Sandhill Enterprises	Jeanie Small	Busby, MT
Willow Creek Construction	Nikki Whitford	Browning, MT
Clancy Consultants, Inc.	Ann Clancy	Billings, MT
Crooked Fork Fencing, Inc.	Kella Babcock	Lolo, MT
Doherty & Associates	Karen Doherty	Boise, ID
Hand-D-Powerwash & Water Truck Serv	Dale Hand	Stevensville, MT
Terra West Technology, Inc.	Regina Cromer	Clancy, MT
Claudia Montagne, Public Health Consult	Claudia Montagne	Helena, MT
LA Olson & Associates	Larry Olson	Billings, MT

TWO STEPPING IN A DIVERSE WORK-PLACE (Part 4 of 5)

The Religion Rhumba



Most issues regarding religious diversity in the workplace are fairly straightforward. For example, one of your employees may require a religious accommodation, like a day off to observe a religious holiday. MDT will allow the person to take annual leave or perhaps h/her work schedule needs to be adjusted.

It is possible for you to become embroiled in a religious issue that you were not aware was even about religion.

So Let's Say... a company has a dress code requiring that employees appear neat and well groomed. One employee grows his hair into long dreadlocks, so you tell him to cut his hair. Before you can say "Samson," he runs to the Civil Rights Bureau and accuses you of discrimination. It turns out that he belongs to a religion that requires men to wear their hair in dreadlocks.

Before you require a person to conform to your dress code, ask if there is reason for not complying. If the employee gives you a religious reason, even if you are not familiar with that religious practice, talk to the Civil Rights Bureau or Human Resources before issuing any orders.



Penny Knoll, Professor of Civil Engineering, MSU-Bozeman

Review of Construction Basics and Blueprint Reading Workshop, Great Falls, December 2, 2003

Penny Knoll, Professor of Civil Engineering at MSU-Bozeman, was the presenter of this workshop. She provided the class with valuable information for the construction business. Here is just a glimpse of information shared:

Five Stages of Business Growth and what to consider:

- Start-Up Contractor — Investment Capital, Debt Repayment, Focus is month-to-month, Optimism is a key ingredient to success, Business Failure is high in this stage
- Survival Sage—More Stable, Still one-person show but no longer to get from one month to the next. Can Borrow money. Growth quickly eats cash.
- Success Stage—Positive cash flow, Risk of failure is minimal, Managers are more important, Tendency to overspend, Greatest risk to company is maintaining enough cash to deal with tough times, Planning is more important.
- Growth Contractor—Major issue is to finance expansion, Ability to delegate authority is critical, Competence of key people is critical, Systems and procedures become strained by growth, Long-range planning is critical, Demands on time and energy are high.
- Mature Contractor—Competent, self-reliant management, biggest challenge is to control its future without losing its spirit.

Some Common Reasons for Construction Company Failure are: Increase Project Size, Manage without Confidence, Changing Geographical Location, Capitalization, New Types of Work, Changes in Key Personnel, Lack of Managerial Maturity, Poor use of accounting systems, Failure to Evaluate Profitability, Lack of Equipment Cost Detail, Poor Billing Procedures

The information above was taken from articles and books written by Tom Schleifer, author of **Construction Contractors' Survival Guide**. DBE Supportive Services has ordered this book for the Lending Library for check out.

The Art and Science of Hiring

Hiring qualified employees is both an art and a science. Although there are many devices available to employers to help them determine which applicants possess the qualifications to do a particular job, the hiring official must frequently also draw upon less scientific procedures to make a final determination as to which of the many qualified applicants will do the job best and will be the most productive new member of the employer's work force.

While hiring a new employee can be a wonderful opportunity to bring fresh ideas, new skills and enthusiasm to the work force it also carries a great responsibility to ensure that the decisions are made in ways that do not lead to "problem" employees or legal liabilities later on.

In its simplest form, hiring is essentially a four-part process:

Planning - Planning includes determining the duties and responsibilities that you expect the new employee to perform and the knowledge, skills and abilities needed to perform those duties and responsibilities. Pre-planning the process both lessens the time needed to screen applicants and increases the likelihood that you will hire people who CAN do the job and WILL do the job. The process for planning a hiring process is not unlike that used by an architect when planning a new building or that a purchasing agent uses when writing purchasing specifications. You first identify your needs and then construct a plan that if followed should result in those needs being fulfilled. Many of the problems associated with new employees not being able to perform the job or not liking their new job can be traced to the amount of effort placed into selection planning.

Recruiting - Recruiting involves advertising the vacancy in a manner that causes qualified applicants to apply. Although many employers rely on word-of-mouth or newspaper ads to recruit new employees, there are many organizations available to help you locate qualified new employees.

Screening - Screening is the process of comparing applicants to the profile of a successful employee that was determined in the planning process in order to predict which can do the job and, among those who can, which will perform the best. There are many ways to screen applicants. Some screening devices are better than others in their ability to measure an applicant's capabilities. Similarly, some devices are better than other in avoiding claims of privacy invasion or unlawful discrimination.

Probation - No matter how much energy you might put into planning, recruitment and screening, the best way to find out if a person can and will do a job is to put them to work for a period of time. This "probationary period" is also a period of time for the new employee to decide if they are happy working for your company or with the duties, responsibilities, pay or benefits of the new position.

Elements of a Successful Hiring Process

A successful hiring (selection) procedure will generally have the following characteristics:

Job-Related - To be effective at selecting people who can do the job and to meet applicable legal requirements, it is important that the hiring official carefully identify the various knowledge, skills, and abilities needed to perform all the duties of the job. This process is known as job analysis. If you have a current job description it will greatly speed up the process of planning. If you do not have a job description that reflects the current duties and responsibilities, then it is time to create or update it.

Note: It is a good idea to involve someone who knows the job inside and out when developing or updating a job description. Even if the job description was last revised as little as a few months ago, it is valuable to review it to see if there have been any changes such as new procedures or equipment that may indicate that new skills are required or that previous ones are no longer applicable.

Consistent - If you do not apply the same procedures in the same sequence, the ability of your procedures to determine the best qualified applicants will be impaired and it will be more difficult to argue that you followed the laws that apply to hiring.

In order to maximize consistency, you should prepare and/or work from a written plan or checklist. Each application or resume should be screened against a checklist of qualifications and should be ranked or scored according to the same factors. Each candidate selected for interview should be asked the same questions and in the same order.

Each reference should be asked similar questions.

Being consistent does not always mean you must treat each candidate identically. When interviewing applicants, for example, you might want to clarify information about the skills a candidate obtained from a previous job. You may need to ask other candidates different questions since each will vary in the degree of completeness with which they respond to on the application form. Asking different questions of different candidates is acceptable in this situation because you are being consistent in clarifying any questions you have related to information given on the application form. Later in the interview, however, if you ask one candidate a question about how they would perform a particular duty of the job, you should ask each candidate the same kind of question.

Documented - If you are charged with discrimination or other wrongdoing in your hiring process, having good documentation will be invaluable to your defense.

Lawful - A properly-developed selection plan is aware of and considers the employer's legal or contractual responsibilities toward job applicants. Many employers have heard that there are certain questions that should not or may not be asked of candidates. Employers have an obligation, for example, to observe any hiring-related provisions of a union contract. If your organization's personnel policies or affirmative action plan establish procedures for recruiting or selecting employees they must also be followed.

A note of caution: Although we have attempted to address the major issues related to the hiring process, the complexity of the laws along with the probability of change or reinterpretations of the law may require you to obtain the assistance of a qualified professional advisor to interpret and help apply these general principals to your specific situation.

Let Integrity Rule

from *FUTURE TENSE* by Karl Schoemer

- * Say what you are going to do...and do it.
- * Share all the information you have openly.
- * Accept all responsibility when it's your to accept.
- * Give away all the honest feedback and recognition that you can.
- * Create win-win relationships at every opportunity.
- * If you can't deliver what's expected, say so.

Make Meetings More Productive

By Barbara Floria, the editor of *Vitality*, from *Volume 36*

MANY MEETINGS TAKE TOO LONG, lack focus and create problems for people by keeping them from crucial tasks. The following tips will help keep them to the point and productive.

- **DON'T COMMENT ON EVERY AGENDA ITEM.** Instead, save your remarks for issues that are important to you or about which you have particular knowledge.
- **PREPARE AHEAD OF TIME.** Read the agenda; if there is none, ask the person who called the meeting what will be discussed. Prepare handouts if they'll help you make an important point or gain support for a new project.
- **BE A GOOD LISTENER.** Pay attention to what other participants say. Consider taking notes to remind you of each speaker's main points.
- **THINK BEFORE SPEAKING.** To keep yourself on track, jot down your key points and figures on a piece of paper before you speak.
- **PLAN TO PARTICIPATE.** Doodling through a meeting wastes your time and makes you appear uninterested. Before a meeting begins, select a particular agenda item and plan to make at least one contribution on that issue.
- **SUPPORT OTHER PEOPLE.** If someone says something of value, signal your approval by making a comment. The person is likely to return the favor when you speak.
- **SET A POSITIVE TONE.** To do so, be calm, reasonable and reflective instead of insistent, domineering or overly critical of others.
- **BE ON TIME.** If you know you'll be late, tell the meeting leader ahead of time so he or she will start without you.
- **SIT ACROSS FROM OR NEXT TO THE LEADER.** These positions give you the most visibility and can increase your involvement in the discussion.
- **DON'T SPEAK TOO MUCH OR TOO LITTLE.** As a rule of thumb, try to make a significant contribution every 30 minutes. This frequency will keep you in the limelight, but you won't be overdoing it so that other people grow tired of listening to you.
- **BE BRIEF AND TO THE POINT.** Focus on the issue being discussed and don't make irrelevant comments.
- **USE EXAMPLES WHEN MAKING A POINT.** Examples give reality to your ideas and authority to your conclusions. Relevant examples also reduce the possibility your point will be misunderstood.
- **BE GRACIOUS.** If you disagree with someone, do so politely and make sure you criticize the person's ideas, not the person.

Finally, if the leader asks you to collect information for the next meeting, or to prepare a presentation, get started doing the necessary work as soon as possible.

A Single outburst by manager—is that pervasive hostility?

Marjorie, a clerk in the accounting department, made an improper IRS disbursement one day. Her supervisor, Dave Baker, was offsite at a meeting, but he found out about the mistake and called her.

"You (bleeping) idiot," he said. "Don't you know how to read? You'll rue the day that you did this to me! Somebody is going to pay for this."

Marjorie complained to HR, saying that she was terribly shaken by her boss's violent and vulgar outburst. She demanded an immediate investigation into the incident.

Two weeks later, Marjorie asked to see Dave in his office.

RESPONSE WAS INADEQUATE

I'm not satisfied with the company's response," she said. "HR looked into the matter and concluded that nothing really needed to be done. That's not good enough."

"Marjorie, I already told you I was sorry for yelling at you," said Dave. "I just flew off the handle."

"You sure did," Marjorie said. "I couldn't sleep for days after that. And I'm having a tough time concentrating at my desk because I'm so afraid that I'll make another mistake and set you off again. I just freeze every time you walk by."
"Have I done anything improper since that incident?" asked Dave.

"No, but I'm terribly uncomfortable being here. I don't know if I can continue working at the company."

A week later Marjorie went to a lawyer, who filed a lawsuit against the company alleging that Dave's behavior created a hostile work environment.

HOW THE COURT RULED

Marjorie lost her lawsuit. There's no question that Dave's behavior was inappropriate. No supervisor should ever lose his or her temper and verbally abuse an employee.

But the court said that even if Dave's profane language could have been characterized as sexual harassment, a single telephone call is "insufficiently severe and pervasive" to be considered a hostile work environment.

So Dave got off the hook for his outburst, at least this time. He needs to be reminded that a supervisor's behavior is always under a microscope, and slip-ups like this can often have disastrous consequences for employers.

Cite: *Stewart v. Evans*, U.S. Court of Appeals for the District of Columbia Circuit, No. 01-5036, 1/11/02.

From: Legal 21 for Supervisors, September 22, 2003.

Quote of the Month

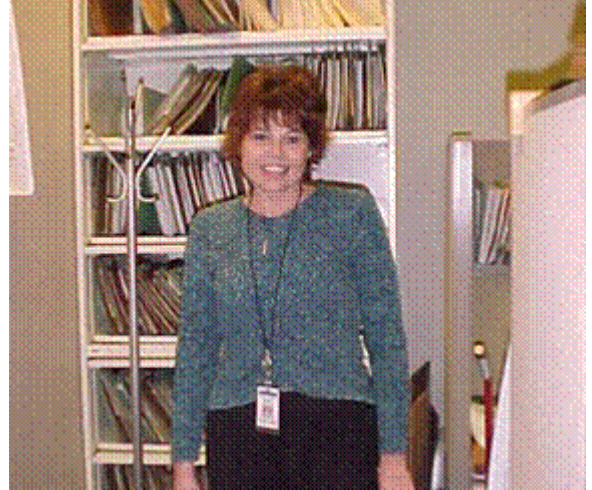
A certain amount of opposition is a great help.
Kites rise against, not with, the wind.

John Neal

Please welcome these people to their new job positions in the MDT Civil Rights Bureau at the Montana Department of Transportation.

Alice Flesch (on right, shown with Vicki Koch, Civil Rights Bureau Chief)

New Acting DBE Program Manager and ADA Coordinator



Leslie Wootan

Acting DBE Program Specialist and
Assistant to ADA Coordinator

Trudy Eaton

Civil Rights Bureau Administrative Assistant



As Read MDT November 13, 2003 Bid Letting Results

Project Title & Number	Prime Bidder	Low Bid Amt.	DBE Dollars
SFCS 486-1(6)2 Columbia Falls North	JTL Group, Inc.-Kalispell	\$985,314	
BH 0002(577) D1 - Scour Protection	L. M. Neilson & Sons, Inc.	\$272,191	
STPHS 280-1(14)4 Slope Flattening - NE of Helena	Bullock Contracting L.L.C.	\$165,027	
NH-IM-STPU 0002(644) Truck Route Signs - Billings	Omo Construction, Inc.	\$220,074	\$88,030
ER 409-1(6)32 MTS 409 Slide - South of Whitlash	Century Companies, Inc.	\$138,914	
STPP 39-1(35)25 Luminaires - Colstrip	Colstrip Electric, Inc.	\$23,995	

MDT Highway Construction Projects Invitation for Bids, Letting of December 18, 2003

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/contract/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on December 18, 2003, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Oswego-East & West, Federal Aid Project No. NH 1-9(38)573** Pulverization, widening, resurface, guardrail and drainage on 13.0 km on the Oswego-East & West project on US 2, in Valley County. DBE contract goals are 2.0%.
2. **Sidney-West, Federal Aid Project No. STPP 51-3(3)60** Plant mix overlay, widening, seal and cover on 18.8 km of MT 200 and MT 23 in Richland County. DBE contract goals are 2.0%.
3. **Rocker Scale Site & Rocker Interchange-North, Federal Aid Project Nos. IM 15-2(74)122 & STPS 276-1(7)0** ~~IM 15-2(74)122~~— The construction of a new westbound MCS Scale Site 1.6 km east of the existing weight scale facility on Interstate 15. Grading gravel and paving of the new scale site, new on and off ramps, and the construction of the building with scales, weigh-in-motion weighing equipment and the Advance WIM and PrePass Systems 4.5 km east of the Rocker Interchange on Interstate 15. The project is located adjacent to the west-bound lanes of Interstate 15 between RP 123 and 124 in Silver Bow County. The project begins just east of the Rocker Interchange and extends easterly for 1.7 km to the beginning of the scale off ramp. ~~STPS 276-1(7)0~~—Grading, gravel, plant mix surfacing and seal and cover on 2.0 km of the Rocker Interchange-North road on MT Secondary 276 in Silver Bow County. The project begins at the Rocker Interchange at Station 10+00 and extends north to Station 30+25.8, Section 9 & 16, Township 3 North, and Range 8 West. DBE contract goals are 1.5%.
4. **Goat Creek-20 km South Swan Lake, Federal Aid Project No. BR 83-2(11)59** 21-meter concrete prestressed girder structure, grading, gravel surfacing, plant mix bituminous surfacing on the Goat Creek-20 km South Swan Lake project in Lake County. DBE contract goals are 1.5%.
5. **Bridge Creek-7 km SW Ashland, Federal Aid Project No. BR 566-1(5)4** Replacement of an existing timber structure with a culvert, and gravel surfacing of the roadway on the Bridge Cr.-7 km SW Ashland project in Rosebud County. DBE contract goals are 0.0%.
6. **NW Bypass Lighting-Great Falls, Federal Aid Project No. STPU 5206(7)** New roadway lighting on the NW Bypass Lighting-Great Falls project in Cascade County. DBE contract goals are 0.0%.
7. **Traffic Signals-Telemetry-Great Falls, Federal Aid Project No. CM 5299(46)** Electrical (traffic signal) work at various locations in Great Falls on the Traffic Signals-Telemetry-Great Falls project in Cascade County. DBE contract goals are 0.0%.

More MT Contracting Opportunities

Greycliff Rest Area Maintenance, 307004, MT Dept of Transportation, Bid Date: Jan 6, 2004,
<http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

Columbus Rest Area Maintenance, 307005, MT Dept of Transportation, Bid Date: Jan 6, 2004, (see web site address above)

Streamside Tailings Operable Unit – Silver Bow Creek, IFB404021, MT Dept of Environmental Quality, Bid Date: Jan 22, 2004,

Plant Mix Production in Jordan, 307014, MT Department of Transportation, Bid Date: Dec 23, 2003, (see web site address above)

Glendive Plant Mix Production, 307012, MT Department of Transportation, Bid Date: Dec 23, 2003, (see web site address above)

Plant Mix Production in Miles City, 307013, MT Department of Transportation, Bid Date: Dec 23, 2003, (see web site address above)

Hysham Rest Area Maintenance, 307009, MT Department of Transportation, Bid Date: Jan 15, 2004, (see web site address above)

Steel Posts, 306997, MT Department of Transportation, Bid Date: Dec 30, 2003 (see web site address above)

Rogers Pass East Chip Seal Project, 307015, MT Department of Transportation, Bid Date: Dec 23, 2003, (see web site address above)

Custer Rest Area Maintenance, 307010, MT Department of Transportation, Bid Date: Jan 15, 2004, (see web site address above)

Demolition of Abandoned Fort Benton Water Treatment Plant Demolition, NDB040007, Bid Date: Jan 20, 2004, BLM. Remove all equipment, concrete floor, jetty from river, and dead trees. Seeding. The work is located in Fort Benton, Chouteau County, Montana. Tracie Richardson Contracting Officer 3032363515 tracie_richardson@blm.gov <http://www.epa.gov/spg/DOI/BLM/NCR/NDB040007/listing.html>

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7592 www.mdt.state.mt.us and click on Civil Rights Bureau

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